

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929

WP(C).No. 25922 of 2007(J)

PETITIONER:

K.V.JAYAPRAKASH, LICENSEE,
TODDY SHOP NO.11, UNDER KOTTAYAM RANGE,
KALLACHERIL, KUMARAKOM EAST, KOTTAYAM.

BY ADV. SRI.K.REGHU KOTTAPPURAM

RESPONDENTS:

1. THE WELFARE FUND INSPECTOR,
KERALA TODDY WORKERS WELFARE FUND BOARD,
KOTTAYAM.
2. A.R.ANIL KUMAR,
C/O.KOTTAYAM TALUK MADYA VYVASAYA THOZHILALI
UNION (CITU), AZAD LINE, KOTTAYAM.
3. K.M.RENJU MONY,
C/O.KOTTAYAM TALUK MADYA VYAVASAYA THOZHILALI
UNION (CITU), AZAD LINE, KOTTAYAM.
4. M.B.PONNAPPAN,
C/O.KOTTAYAM TALUK MADYA VAYAVASAYA THOZHILALI
UNION (CITU), AZAD LINE, KOTTAYAM.
5. THE SECRETARY TO GOVT.,
LABOUR (B) DEPARTMENT,
GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24/08/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.25922 OF 2007

DATED THIS THE 24th DAY OF AUGUST, 2007

JUDGMENT

The petitioner has been assessed to contributions under the Kerala Toddy Shop Workers Welfare Fund Act. The petitioner has filed Ext.P5 appeal along with a stay petition. The petitioner's grievance is that the Appellate Authority is not passing orders on the stay petition and in the meanwhile, proceedings are initiated for coercive recovery of the same.

2. I have heard the learned standing counsel for the 1st respondent and the learned Government pleader also.

3. In the facts and circumstances of the case, I dispose of this writ petition with the following directions.

The 5th respondent shall consider and pass appropriate orders on the stay petition filed by the petitioner along with Ext.P5 appeal. Till orders are passed on the stay petition, coercive proceedings for recovery of the disputed amounts shall be kept in abeyance.

S. SIRI JAGAN, JUDGE

Acd

